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*Attorneys for Plaintiff*

*IMA ILIU FLORES ZELAYA, individually*

*and as legal guardian of LUIS JERSAIN SOLANO, JR.*

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEVADA**

IMA ILIU FLORES ZELAYA, individually  
and as legal guardian of LUIS JERSAIN  
SOLANO, JR.; ELIA DELCARMEN  
SOLANO-PATRICIO, individually and as  
Administrator of the Estate of Luis Solano,

Plaintiff,

vs.

LAS VEAS METROPOLITAN POLICE  
DEPARTMENT, a political subdivision of the  
State of Nevada; SHERIFF BILL GILLESPIE,  
individually and in his capacity as Sheriff of  
the Las Vegas Metropolitan Police  
Department; SGT. DAVID ASPIAZU,  
individually and in his capacity;  
CORRECTIONS OFFICER BRADLEY  
TEMPLE, individually and in his capacity;  
CORRECTIONS OFFICER PATRICK  
GRAY, individually and in his capacity;  
CORRECTIONS OFFICER EUGENE  
DIXON, individually and in his capacity;  
NAPHCARE, INC., an Alabama corporation;  
DOES OFFICERS I through X, individually,  
and in their official capacity; DOSE XI  
through XX and ROE CORPORATIONS XXI  
through XXX, inclusive,

Defendants.

Case No.: 2:13-cv-01181-JAD-CWH

**STIPULATION AND ORDER  
ALLOWING ALL BRIEFING/FILINGS  
RELATED TO A PETITION FOR  
MINORS COMPROMISE  
TO BE FILED UNDER SEAL**

**STIPULATION AND ORDER ALLOWING ALL BRIEFING/FILINGS RELATED  
TO A PETITION FOR MINORS COMPROMISE  
TO BE FILED UNDER SEAL**

Plaintiff, IMA ILIU FLORES ZELAYA (“Mrs. Flores-Zelaya”), individually and as legal guardian of LUIS JERSAIN SOLANO, JR., through her attorneys of record, Michael C. Van, Esq., with the law firm of SHUMWAY VAN; Plaintiff, ELIA DEL CARMEN SOLANO-PATRICIO, individually and as the Administrator of the Estate of Luis Solano, by and through her attorney of record, Mitchell Bisson, Esq., of the law firm of CALLISTER & ASSOCIATES; Specially Appearing Interested Non-Party, ALEJANDRA SOLANO as *Guardian Ad Litem* for GABRIELA SOLANO, ALEJANDRA SOLANO and LUIS SOLANO, JR., minors, by and through her attorney of record, Ryan Alexander, Esq., with the law firm of RYAN ALEXANDER, CHTD.; and Defendant, NAPHCARE, INC. (“NAPHCARE”), by and through its attorneys of record, Seetal Tejura, Esq., with the law firm of ALVERSON, TAYLOR, MORTENSEN & SANDERS, hereby stipulate and agree to the following:

WHEREAS, representatives of the individuals/entity mentioned above in the above-titled action met for mediation on September 3, 2015, wherein a confidential resolution was reached between the above listed individuals/Estate and NAPHCARE;

WHEREAS, the terms of the above described resolution include a provision that mandates Court’s approval of a Petition for Minor’s Compromise Claim, the participants of said resolution require that all papers to be filed under seal in the appropriate Court so that the confidentiality portion of the resolution is preserved; and

WHEREAS it is these stipulating individuals’/entities’ position that while there “is a strong presumption of public access to judicial records,”<sup>1</sup> there are also legitimate policy reasons which allow the terms of settlements in civil cases such as this one to remain confidential and without access to the public.<sup>2</sup> As such, there is both good cause and compelling reasons to allow

<sup>1</sup> *Kamakana v. City & County of Honolulu*, 447 F.3d 1172, 1178 (9th Cir. 2006).

<sup>2</sup> *Allstate Insurance Company, v. Balle*, Case No. 2:10-cv-02205-APG-NJK, 2014 U.S. Dist. LEXIS 21848, at \*4 (February 20, 2014). Likewise, under both Federal and Nevada law, communications relating to settlement negotiations are protected communications. See NRS 48.105 and Fed. R. Ev. 408. Further, the Ninth Circuit Court of Appeals has found that “by preventing settlement negotiations from being admitted as evidence, full and open

1 the pleadings and briefings related to the Minors Compromise claims to be sealed, particularly  
 2 because these documents cannot be easily redacted while leaving meaningful information  
 3 available to the public.

4 NOW THEREFORE, It is hereby Stipulated and Agreed by the parties hereto that the  
 5 Minor Compromise briefing associated with the above described resolution may be a filed Under  
 6 Seal in the State of Nevada, Eighth Judicial District Court.

7 IT IS FURTHER Stipulated that within fourteen days of the approval of the subject  
 8 [sealed] Minors Compromise in the Eighth Judicial District Court, the settling  
 9 individuals/entities shall complete their settlement with NaphCare and shall file their Stipulation  
 10 for NaphCare's dismissal. It is agreed that any and all other funds associated with the settlement  
 11 will be either immediately dispersed as agreed upon by the appropriate parties or will be held in  
 12 a separate joint account for future disbursement or held for costs as agreed upon by the parties or  
 13 through court order.

14 DATED THIS 23<sup>rd</sup> day of December, 2015. DATED THIS 23<sup>rd</sup> day of December, 2015.

15 /s/Michael Van  
 16 Michael C. Van, Esq., Bar # 3876  
 17 Karl A. Shelton, Esq., Bar # 12868  
 18 SHUMWAY VAN  
 19 8985 S. Eastern Avenue, Suite 100  
 20 Las Vegas, Nevada 89123  
 21 *Attorneys for Plaintiff*  
 22 *IMA ILIU FLORES ZELAYA, individually*  
 23 *and as legal guardian of LUIS JERSAIN*  
 24 *SOLANO, JR.*

/s/ Mitchell Bisson\*  
 Matthew Q. Callister, Esq. , Bar # 1396  
 Mitchell S. Bisson, Esq. , Bar # 11920  
 CALLISTER & ASSOCIATES  
 823 Las Vegas Boulevard South, Suite 330  
 Las Vegas, Nevada 89101  
*Attorney for Plaintiff,*  
*ELIA DELCARMEN SOLANO-PATRICIO,*  
*individually and as the Administrator of the*  
*Estate of Luis Solano*

25 disclosure is encouraged, thereby furthering the policy toward settlement." *United States v. Contra Costa Cnty.*  
 26 *Water Dist., 678 F.2d 90, 92 (9th Cir. 1982).*

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1 DATED THIS 11<sup>th</sup> day of November, 2015.

DATED THIS 11<sup>th</sup> day of November, 2015.

2  
3 /s/ Seetal Tejura\*

4 Seetal Tejura, Esq., Bar # 8284  
5 ALVERSON, TAYLOR, MORTENSEN &  
6 SANDERS  
7 7401 W. Charleston Blvd.  
8 Las Vegas, Nevada 89117  
9 Attorney for Defendant, NAPHCARE, INC.

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*\*Electronic Signatures entered  
with permission*

/s/ Ryan Alexander\*

Ryan Alexander, Esq., Bar # 10845  
RYAN ALEXANDER, CHTD.  
3017 West Charleston Blvd., Suite 58  
Las Vegas, Nevada 89102  
Attorney for Specially Appearing Interested  
Non-Party, ALEJANDRA SOLANO, as  
Guardian Ad Litem for GABRIELA SOLANO,  
ALEJANDRA SOLANO and LUIS SOLANO,  
JR., minors

IT IS SO ORDERED.

Dated: January 20, 2016

  
United States Magistrate Judge

ORDER

IT IS SO ORDERED by this Court on this \_\_\_\_ day of \_\_\_\_\_, 2015.

UNITED STATES DISTRICT COURT JUDGE/  
UNITED STATES MAGISTRATE JUDGE

Respectfully Submitted by:

SHUMWAY · VAN

/s/ Michael Van

Michael C. Van, Esq., Bar # 3876

Karl A. Shelton, Esq., Bar # 12868

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*Attorney for Plaintiff, IMA ILIU FLORES ZELAYA,*

*individually and as legal guardian of*

*LUIS JERSAIN SOLANO, JR.*

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